

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

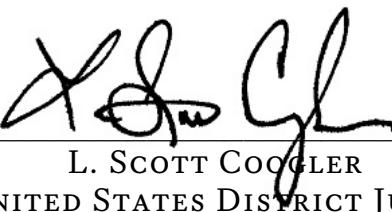
UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         ) 2:17-cr-101-LSC-TFM  
                                )  
                                )  
JACOB BYRD,                 )  
                                )  
Defendant.                 )

MEMORANDUM OF OPINION AND ORDER

On April 7, 2017, Defendant Jacob Byrd filed a “Motion to Dismiss for Lack of Jurisdiction.” (Doc. 44.) After conducting a hearing on the matter on April 18, 2017, the magistrate judge filed a report and recommendation, recommending that the motion be denied. (Doc. 79.) The defendant filed objections (doc. 81) and the Government responded to those objections (doc. 82.)

Having now carefully reviewed and considered de novo all the materials in the court file, including the report and recommendation, the objections thereto, and the response thereto, the Court is of the opinion that the report is due to be and hereby is ADOPTED, the recommendation is ACCEPTED. Consequently, the motion to dismiss for lack of jurisdiction (doc. 44) is hereby DENIED.

**DONE AND ORDERED ON AUGUST 24, 2017.**

  
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L. SCOTT COOGLER  
UNITED STATES DISTRICT JUDGE  
160704